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UNCLAS SECTION 01 OF 03 KINGSTON 000611

SIPDIS
SENSITIVE

STATE FOR WHA/CAR (DHOFFMANN) (BALVARADO) (VDEPIRRO) (WSMITH)
WHA/EPSC (MROONEY) (FCORNEILLE)
EEB/ESC/IEC/EPC (MCMANUS)
SANTO DOMINGO FOR FCS AND FAS
TREASURY FOR ERIN NEPHEW
INR/RES (RWARNER)

E.O. 12958: N/A
TAGS: PGOV ECON SOCI PREL CASC CPAS JM XL
SUBJECT: JAMAICA: SUPREME COURT ORDERS THIRD BY-ELECTION IN CONTINUING
DUAL
NATIONALITY DRAMA; HOWEVER, THE OPPOSITION PARTY WILL NOT CONTEST

REF: A. KINGSTON 232
¶B. KINGSTON 315
¶C. KINGSTON 405
¶D. KINGSTON 436
¶E. KINGSTONQ
¶F. KINGSTON 490
¶G. KINGSTON 601

SUMMARY

¶1. (U) On August 12, Supreme Court Justice Lloyd Hibbert:
-- ruled that Michael Stern of the ruling Jamaica Labour Party (JLP),
the Member of Parliament (MP) representing North West Clarendon parish, had been improperly nominated for the September 2007 general election b
-- ordered a new by-election in the constituency.
The decision is consistent with previous rulings that forced
by-elections in West Portland and North East St. Catherine earlier in the year, both of which resulted in electoral landQides by the incumbent
D, F).

¶2. (U) In response, Prime Minister (PM) Bruce Golding called for party
nominations to take place by August 19, with the by-election to be held September 4. Within hours however, leaders of the opposition People's
divisions within the PNP, drained the party of funds, and raised
questions about PNP President and former PM Portia Simpson Miller's (PSM) leadership.
End Summary.

Background

¶3. (U) The ruling comes in the aftermath of JLP by-election victories
by Daryl Vaz in West Portland in March and Gregory Mair in North East St. Catherine in June. As the by-election defeats mounted, internecine c

¶4. (U) With the PNP choosing to sit out the by-election, Stern, who has
now renounced U.S. citizenship, will be renominated and re-elected without opposition, thus restoring the narrow 32 to 28 seat JLP majority in

A "Buy" Election?

¶5. (U) In explaining the decision not to contest the by-election,
Richard Azan, the PNP candidate Stern defeated in 2007 who had filed the challenge, noted that "[t]he country is going through too much difficu

"[o]ur intention has always been that the integrity of the membership
of the Parliament should be beyond question."

Deal or No Deal

¶5. (U) Frustrated by the PNP's legal challenges and the slow pace of
successive court rulings that have contributed to the Government of
Jamaica's (GOJ) political paralysis and uncertainty, PM Golding has threatened to bring similar dual nationality charges against two sitting PN

Rumors have been rampant in recent weeks that the PNP -- short of
funds, desperate to avoid additional demoralizing by-election defeats, and concerned that the by-elections would be seen by the public as a was

Having one's cake and eating it too...

¶6. (SBU) Meanwhile, the JLP is proceeding with its own dual nationality challenges against two sitting PNP MPs, apparently putting some member
with no mention of its withdrawal, suggesting that the MP intends to leave the public impression of having renounced U.S. citizenship.

COMMENT AND ANALYSIS

¶11. (U) The decision not to contest the North West Clarendon
by-election would appear to reflect a growing awareness within the PNP that what had once seemed a clever means of regaining, through the court

¶12. (U) Meanwhile, with the PNP now likely to sit out any by-election
resulting from the single remaining dual nationality case, the JLP's

tenuous parliamentary majority would appear secure until the next general election. In fact, should PM Golding follow through on his threat to
much-needed administrative personnel changes (Reftel G). END COMMENT AND ANALYSIS.

Moss